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RCE/3643

PATENT

Attorney Docket No.: 053727-5001-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application of: Kurt R. DAHLBERG *et al.*

Application No.: 10/000,094

Filed: December 4, 2001

Group Art Unit: 3643

Examiner: Son T. Nguyen

For: POLYSACCHARIDE MUSHROOM COMPOST
SUPPLEMENTS

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MAIL STOP RCE
Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Amendment after Final under 37 C.F.R. § 1.116 and Information Disclosure Statement under 37 C.F.R. § 1.97(b) with copies of cited references and PTO Form 1449.
- b. ☒ Additional Submissions: Applicant Initiated Interview Request Form; and Courtesy copy of Information Disclosure Statement and PTO-FORM 1449 filed January 29, 2003 and copy of date-stamped return post card.

2. Fees Calculation

- a. RCE Fee required under 37 C.F.R. § 1.17(e)

- ☒ \$770.00 (for large entity)
- b. Additional Claims

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	35	minus	43	0	x \$18 each =	\$0.00
Independent Claims (37 C.F.R. §1.16(b))	1	minus	3	0	x \$84 each =	\$0.00
[] First presentation of Multiple dependent claim(s)					\$280.00	
SUB-TOTAL =						
Reduction by ½ for filing by a small entity						
TOTAL FEE =						\$0.00

11/25/2003 EFLORES 00000002 500310 10000094

01 FC:1801 770.00 DA

c. Extension of Time

- ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input checked="" type="checkbox"/> one month	\$ 110.00	\$ 55.00

Extension of time fee due with this request: \$110.00

If an additional extension of time is required, please consider this a Petition therefor.


3 Fee Payment

- ☒ The Commissioner is hereby authorized to charge \$880.00 (\$770.00 for RCE filing fee and \$110.00 for one-month Extension) to Deposit Account No. 50-0310.
- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN LEWIS & BOCKIUS LLP

By:


Erich E. Veitenheimer
Reg. No. 40,420

Dated: November 21, 2003

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Application No. 10/000,094 First Named Applicant: Kurt R. DAHLBERG
Examiner: Son T. Nguyen Art Unit: 3643 Status of Application: pending

(1) Son T. Nguyen (2) Dr. Kurt Dahlberg
(3) SPE Art Unit 3643 (4) Erich Veitenheimer

(1) ☐ Telephonic (2) ☒ Personal (3) ☐ Video Conference

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Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>102/103</u>	<u>1-16, 18-36</u>	<u>Romainè et al</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Applicants will discuss Romaine et al. and why pending claims are not anticipated or rendered obvious by this reference.

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

(Examiner/SPE Signature)

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.